

REMARKS

Claim Status

The Office Action indicates that claims 1 through 8 are pending in the present application. By this Amendment, Applicant has amended claims 1-8 for additional clarity. No new matter has been added. Applicant respectfully requests reconsideration in view of the foregoing amendments and following remarks.

Claim Objections

The Office Action objects to claims 1-8 as being informal based on the preamble reciting a system and method. Applicant respectfully submits that the herein amendments of claims 1-8 obviate this objection and render it moot, which objection should thus be withdrawn.

Claim Rejections Under 35 U.S.C. §§ 102 and 103

The Office Action rejects claims 1, 2 and 5 through 7 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,278,772 to Bowater et al. ("Bowater"). Also, under 35 USC § 103(a), the Office Action rejects (i) claims 3 and 4 as being unpatentable over Bowater in view of US Patent No. 5,570,420 to Bress ("Bress"), and (ii) claim 8 as being unpatentable over Bowater in view of US Patent No. 6,744,877 to Edwards ("Edwards"). Applicant respectfully traverses the rejections and asserts that the claims pending in the present application are patentable over the prior art of record for at least the reasons presented below.

Bowater relates to performing a voice recognition function on a voice telephone conversation to convert the conversation into text data using a voice processing system. The

voice processing system 8 includes a computer server 10 connected to a digital trunk processor 12. The digital trunk processor 12 includes a trunk interface card which manages a trunk connection to a PBX 16. Col. 4, ll. 34-44. A computer server 10 records a conversation between a client and an agent by opening a connection through the digital trunk processor 12 to the PBX 16. Col. 3, ll. 55-67.

Claim 1 has been amended herein to clarify that “the recorder port is one of a predetermined number of recorder ports, the predetermined number being at least one and being determined to provide a statistical grade of service”. Support for this amendment may be found, for example, at p. 5, lines 7-21 of the specification. Applicant respectfully submits that, even assuming *arguendo* that Bowater discloses a recorder port, Bowater neither teaches nor suggests such statistical provisioning of a recorder port. Moreover, Applicant respectfully submits that such statistical provisioning as claimed is neither taught nor suggested by Bowater, Bress, and Edwards, individually or in combination.

For at least the foregoing reasons, Applicant respectfully submits that the § 102 rejection of claim 1 should be withdrawn. Further, although Applicant submits that the dependent claims (i.e., claims 2-8) of the present application contain additional features that further substantially distinguish the invention of the present application over the art of record, these dependent claims are allowable for at least the reasons presented above. Accordingly, it is not deemed necessary at this point to delineate such distinctions, and the § 103 rejections of claims 3, 4, and 8 should also be withdrawn.

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Amendment dated Jan. 30, 2006

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ATTORNEY Docket No. 3770/82

Conclusion

In view of the foregoing, Applicant respectfully submits that all pending claims are allowable over the prior art of record, and the application is in condition for allowance. Reconsideration and allowance of pending claims is therefore respectfully solicited. The Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

Respectfully submitted,

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